

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CHRIS ELROY LOVELESS, )  
Petitioner, )  
v. ) Case No. CIV-24-01234-JD  
STATE OF OKLAHOMA, )  
Respondent. )

**ORDER**

Before the Court is the Report and Recommendation (“R. & R.”) issued by United States Magistrate Judge Amanda Maxfield Green on March 19, 2025. [Doc. No. 15]. The R. & R. recommends that the Court deny Petitioner Chris Elroy Loveless’s Application for Leave to Proceed In Forma Pauperis (“Motion”) [Doc. No. 10]. R. & R. at 2. Judge Green reviewed Loveless’s Motion, and she concluded that Loveless has sufficient financial resources to pay the \$5.00 filing fee for this habeas corpus action because his institutional account has a recent balance of \$53.39. *Id.* As a result, Judge Green recommends that the Court dismiss this action without prejudice if Loveless does not pay the \$5.00 filing fee within 21 days of any order adopting the R. & R. *Id.*

Loveless filed a timely objection to the R. & R. [Doc. No. 16]. Loveless does not dispute that his Motion reflects an institutional account balance of \$53.39, but he asserts that he needs this money for reasonable living expenses including hygiene products, stamps, writing materials, and papers. *Id.* at 2. Thus, Loveless argues, requiring him to pay the \$5.00 filing fee “would create and constitute a serious hardship” for him. *Id.*

When a magistrate judge has entered a recommended disposition of a matter, the Court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made,” and the Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “[A] party’s objections to the magistrate judge’s report and recommendation must be both timely and specific to preserve an issue for de novo review by the district court or for appellate review.” *United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996).

Upon de novo review of the record and Judge Green’s recommendation, the Court accepts and adopts the R. & R. Judge Green has “dealt with the issues fully and accurately,” and the Court “could add little of value to that analysis.” *In re Griego*, 64 F.3d 580, 584 (10th Cir. 1995). Nothing in Loveless’s objection leads the Court to find any error in Judge Green’s analysis. The Court agrees with Judge Green’s conclusion that, given the amount in Loveless’s institutional account, Loveless has the financial resources to pay the \$5.00 filing fee without suffering undue financial hardship.

Therefore, the Court ACCEPTS the Report and Recommendation [Doc. No. 15] and DENIES Loveless’s Application for Leave to Proceed In Forma Pauperis [Doc. No. 10]. Loveless is ORDERED to pay the full \$5.00 filing fee to the Clerk of the Court within twenty-one days of this Order, or by **June 4, 2025**. Failure to do so will result in dismissal of this action without prejudice.

IT IS SO ORDERED this 14th day of May 2025.



JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE